

# EXHIBIT U

MIED (Rev. 06/11) Bill of Costs

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Wendell Shane Mackey

Case No. 17-12359

v.

Hon. Bernard A. Friedman

James Michael Berryman, Mayor of the City of Adrian, MI;

Magistrate Judge David R. Grand

Margaret M.S. Noe, Judge of the Lenawee County Cir. Court

## BILL OF COSTS

Judgment having been entered in the above entitled action on 01/15/2019 against Plaintiff Wendell Shane Mackey,  
Date

the Clerk is requested to tax the following as costs:

CATEGORY	ATTORNEY COMMENTS	AMOUNT
A. Fees of the Clerk		
B. Fees for service of summons and subpoena		
C. Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	See attached billing invoices & appendix	\$772.35
D. Fees and disbursements for printing		
E. Fees for witnesses ( <i>itemize on page two</i> )		
F. Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case	See attached billing of LC Clerk re Pl	\$26.00
G. Docket fees under 28 U.S.C. 1923		
H. Costs as shown on Mandate of Court of Appeals		
I. Compensation of court-appointed experts		
J. Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828		
K. Other costs ( <i>please itemize</i> )		
TOTAL		\$798.35

**SPECIAL NOTE:** Attach to your bill an itemization and documentation for requested costs in all categories.

## Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other:

s/ Attorney: Holly S. Battersby

Name of Attorney: Holly S. Battersby

For: Defendant Margaret M.S. Noe

Date: 02/12/2019

Name of Claiming Party

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

**APPENDIX – Fees for Printed or Electronically Recorded Transcripts**  
**Necessarily Obtained for Use in the Case**

<b><u>Transcript Description</u></b>	<b><u>Title and Dkt # of Citation to Transcript</u></b>	<b><u>Cost</u></b>
Transcript of Plaintiff's PPO Hearing Before Judge Noe	Cited in Defendant's Motion for Summary Judgment – Ex. H to Dkt #41	\$36.90
Transcript of Plaintiff's PPO Hearings Before Judge Conlin	Cited in Defendant's Motion for Summary Judgment – Exs. J&K to Dkt #41 <sup>1</sup>	\$316.25
Transcript of Deposition of Defendant James Berryman	Cited in Defendant's Motion to Stay – Ex. K to Dkt #24	\$419.20
<b>TOTAL:</b>		<b>\$772.35</b>

---

<sup>1</sup> The cost of this transcript was shared between Defendant Noe and Defendant Berryman. Defendant Noe incurred \$366.25 of the total \$732.50 cost of the transcript preparation.

U.S. Legal Support - Michigan  
30800 Telegraph Road  
Suite 2925  
Bingham Farms MI 48025  
Phone:(888) 644-8080 Fax:(248) 644-1120

Holly Battersby  
Rosati Schultz Joppich & Amtsbuechler, PC  
27555 Executive Drive  
Suite 250  
Farmington Hills MI 48331-3550

# INVOICE

Invoice No.	Invoice Date	Job No.
110206660	11/1/2018	741699
Job Date	Case No.	
10/23/2018		
Case Name		
Mackey vs Berryman <i>Lenaue lty</i>		
Payment Terms		
Due upon receipt		

## 1 CERTIFIED COPY OF TRANSCRIPT OF:

James Michael Berryman

Exhibit

Shipping

178.00	Pages	@	2.20	391.60
28.00	Pages	@	0.45	12.60
			15.00	15.00
<b>TOTAL DUE &gt;&gt;&gt;</b>				<b>\$419.20</b>
AFTER 12/16/2018 PAY				\$482.08

Online bill pay available at [www.uslegalsupport.com](http://www.uslegalsupport.com)

Etrans sent to [hbattersby@jrsjlaw.com](mailto:hbattersby@jrsjlaw.com) on 11-1-18

Thank you for choosing U.S. Legal Support!

Invoice not paid by due date is subject to interest of 1.5% per month. We will make reasonable efforts to allocate payments properly. U.S. Legal Support may recover any fees and costs it incurs in collecting any unpaid amounts. Any rights regarding allocations, refunds or adjustments after 90 days from payment shall be waived by payer.

Tax ID: 76-0523238

Phone: 248-489-4100 Fax:

Rutkowski Court Reporting, LLC  
Natalia Rutkowski, CSR, RPR  
2562 Huron Street  
Marquette, Michigan 49855  
Phone: (906) 250-1462  
Fax: (906) 273-2114  
rutkowskicourtreporting@gmail.com  
www.rutkowskicourtreporting.com

**STATEMENT FOR TRANSCRIPT**

October 15, 2018

Rosati, Schultz, Joppich & Amtsbuechler, PC  
27555 Executive Drive  
Suite 250  
Farmington Hills, MI 48331

Invoice No. 1  
Job No. 1226  
Case Name: James Michael Berryman vs. Wendell Mackey  
Lower Case No. 17-44270-PH  
Court of Appeals Case No. 340879

Transcription of Audio-Recorded Hearings of 8-28-17, 9-19-17, and 10-10-17  
Volume I (8-28-17) - 86 pages  
Volume II (9-19-17) - 103 pages  
Volume III (10-10-17) - 100 pages

Copy (10-day) (\$2.50/page)	
Volume I: (86 pages x \$2.50)	\$ 215.00
Volume II: (103 pages x \$2.50)	\$ 257.50
Volume III: (100 pages x \$2.50)	\$ 250.00

Delivery: Standard	\$ 10.00
(Delivery charge only applied if request is made for printed copy)	

**TOTAL: \$ 732.50**

**PLEASE MAKE CHECK PAYABLE TO RUTKOWSKI COURT REPORTING, LLC**



ROSATI, SCHULTZ, JOPPICH & AMTSBUECHLER, P.C.

Rutkowski Court Reporting, LLC

60046

10/16/2018

732.50

Checking - Chase Ge PPO Hrgs Before Judge Conlin/Mackey v Lenaw

732.50

**Patricia J. Szymanski**

Certified Court Recorder  
39th Judicial Circuit Court  
425 North Main Street  
Adrian, MI 49221

Lenawee County  
Michigan

Phone: 517-264-4746

Fax: 517-264-4575

**STATEMENT**

via email: [prosenthal@rsjalaw.com](mailto:prosenthal@rsjalaw.com)

TO: Ms. Paula Rosenthal  
Rosati, Schultz, Joppich, Amtsbuechler  
27555 Executive Drive, Suite 250  
Farmington Hills, MI 48331

DATE: October 12, 2018

RE: James M. Berryman v Wendell S. Mackey  
File No. 17-44270 PH

---

Transcript Preparation:

07-26-17; Respondent's Motion to Set Aside Ex-Parte PPO; Original for Court and 1 Copy; 18 Pgs. @ \$2.05/Pg.	\$ 36.90
---	----------

*Please make check payable to Patricia J. Szymanski*



ROSATI, SCHULTZ, JOPPICH & AMTSBUECHLER, P.C.

Patricia J. Szymanski

60045

10/16/2018

36.90

Checking - Chase Ge Trans of hring before Judge Noe/Mackey v Lena

36.90

Lenawee County

Page 39

	<u>Hours</u>	<u>Amount</u>
1/31/2019 HSB Correspondence to/from opposing counsel regarding Sprint records and deposition of Judge Noe	0.20 \$150.00	\$30.00
For professional services rendered	227.50	\$34,125.00

## Additional Charges :

	<u>Qty/Price</u>	
11/7/2017 Pacer - Review/Retrieval of Court Scheduling Order	1 1.00	1.00
11/16/2017 Photocopies - Defendant Noe's Initial Disclosures	246 0.20	49.20
<del>11/16/2018</del> Court Transcript Fee (Proceedings in front of Judge Noe) - Patricia Szymanski, court reporter	1 36.90	36.90 ***
Court Transcript Fee (Hearings in front of Judge Conlin regarding Personal Protection Order) - Rutkowski Courting Reporting, LLC	1 732.50	732.50 ***
10/22/2018 Photocopies - Bates stamped documents for discovery responses	327 0.20	65.40
10/23/2018 Michigan Court of Appeals - Copy of pleadings	1 49.00	49.00
10/24/2018 State of Michigan - criminal history check	1 10.00	10.00
<del>11/16/2018</del> Lenawee County Clerk - Copy of Dockets in cases involving Plaintiff	1 26.00	26.00 ***
<del>11/16/2018</del> Deposition transcript of James Michael Berryman taken on 10/23/18	1 419.20	419.20 ***

Lenawee County

	<u>Qty/Price</u>	<u>Amount</u>
11/7/2018 Deposition transcript of Sarah Osburn taken on 10/24/18	1 225.80	225.80
11/20/2018 Photocopies - Our Motion to Quash Subpoena	398 0.20	79.60
Photocopies - Our Motion to Stay	336 0.20	67.20
11/28/2018 Photocopies - Plaintiff's Response to Motion to Stay	77 0.20	15.40
Photocopies - Plaintiff's Response to Motion to Quash	248 0.20	49.60
Photocopies - Co-Defendant's Motion to Quash	21 0.20	4.20
12/13/2018 Photocopies - Our Motion for Summary Judgment	274 0.20	54.80
Photocopies - Our Reply regarding Motion to Quash	15 0.20	3.00
Photocopies - Plaintiff's Motion to Lift Stay	291 0.20	58.20
Photocopies - Plaintiff's Motion to Compel Discovery Directed to Lenawee County	31 0.20	6.20
Photocopies - Plaintiff's Motion to Compel Directed to Defendant Berryman	81 0.20	16.20
Photocopies - Plaintiff's Response to Co-Defendants' Motion to Quash	59 0.20	11.80
Photocopies - Plaintiff's Motion to Quash Subpoena	30 0.20	6.00

Lenawee County

	<u>Qty/Price</u>	<u>Amount</u>
12/13/2018 Photocopies - Our Corrected Motion for Summary Judgment	306 0.20	61.20
12/26/2018 Photocopies - Response to Plaintiff's Motion to Quash	27 0.20	5.40
Photocopies - Co-Defendant's Response to Plaintiff's Motion to Compel	37 0.20	7.40
Photocopies - Our Response to Plaintiff's Motion to Compel	10 0.20	2.00
1/3/2019 Photocopies - Plaintiff's Reply regarding Motion to Compel	14 0.20	2.80
Photocopies - Plaintiff's Reply regarding Motion to Quash	14 0.20	2.80
1/7/2019 Pacer - Review/Retrieval of Court documents/docket on 10/23/18	1 2.20	2.20
1/11/2019 Photocopies - Plaintiff's Response to our Motion for Summary Judgment	152 0.20	30.40
Total costs		<u>\$2,101.40</u>